

REMARKS

Claims 1-11 are pending, and claims 5 and 11 have been amended. Claims 1, 5, 9, 10, and 11 are independent.

The specification has been amended to better identify the patent applications incorporated by reference on page 1 of this application. No new matter has been added. This obviates the Action's objection to the disclosure.

The Examiner's indication that claims 5 and 11 would be allowed if suitably amended is acknowledged with gratitude. Claims 5 and 11 have been converted into independent form by this Amendment. It will be noted that the scopes of claims 5 and 11 have not been narrowed or even changed by this Amendment.

✚The Examiner's attention is called to the Fourth Information Disclosure Statement that was filed on April 7, 2003. Consideration of the document identified in that paper is respectfully requested.

The objections noted on the Notice of Draftsperson's Patent Drawing Review are obviated by the formal drawings enclosed with the Submission of Formal Drawings that accompanies this Amendment.

Claims 1 and 6-8 stand rejected under 35 U.S.C. § 103(a) for obviousness over a combination of U.S. Patents No. 6,122,291 to Robinson et al. ("Robinson") and No. 6,377,805 to Anvekar et al. ("Anvekar"). Claims 2-4 stand rejected for obviousness over a combination of Robinson, Anvekar, and U.S. Patent No. 5,592,469 to Szabo ("Szabo"). Claims 9 and 10 stand rejected for obviousness over a combination of Robinson, Anvekar, and U.S. Patent No. 5,848,266 to Scheurich ("Scheurich").

Claims 1 and 6-8 stand rejected under 35 U.S.C. § 103(a) for obviousness over a combination of U.S. Patents No. 6,122,291 to Robinson et al. ("Robinson") and No. 6,377,805 to Anvekar et al. ("Anvekar"). Claims 2-4 stand rejected for obviousness over a combination of Robinson, Anvekar, and U.S. Patent No. 5,592,469 to Szabo ("Szabo"). Claims 9 and 10 stand rejected for obviousness over a combination of Robinson, Anvekar, and U.S. Patent No. 5,848,266 to Scheurich ("Scheurich"). These rejections cannot stand because the cited patents, either alone or in combination, do not support a prima facie case of obviousness.

In accordance with the MPEP, three criteria must be met to establish a prima facie case of obviousness: the cited documents must teach or suggest all of the claim limitations; there must be some suggestion or motivation, either in the cited

documents themselves or in the knowledge generally available to one of ordinary skill in the art, to have combined the teachings of the cited documents; and there must have been a reasonable expectation that the documents could have been successfully combined.

As explained below, no combination of the cited patents teaches all of the claim limitations. Moreover, the cited documents would not have supplied any motivation to combine them as suggested by the Action. Finally, there would have been no reasonable expectation that such complex documents could be successfully combined to yield a working system, which even then would have had to be further modified to obtain the claimed subject matter.

Applicant's invention relates to ad hoc communication networks, such as Bluetooth networks, in which terminals or network nodes may belong to several sub-networks or piconets. Claim 1, for example, provides a method of modifying the allocation of a terminal's capacity between two or more networks by receiving, in a first terminal, a request from a second terminal to modify the first terminal's capacity allocation; determining whether the first terminal has sufficient available capacity to accommodate the request; and if the available capacity is sufficient, then comparing the capacity allocation of the first terminal to the capacity allocation of the second terminal to determine mutually acceptable capacity blocks allocable to satisfy the request.

Robinson says nothing about ad hoc networks and piconets, and so has nothing to say about issues that are important in such networks. For example, Robinson's column 1 describes TDMA and CDMA cellular telephony systems, and Robinson's description is in terms of base stations and mobile terminals (see, e.g., col. 4, ll. 61-67). Accordingly, Robinson does not describe modifying the allocation of a terminal's capacity between two or more networks as claimed, which is not surprising because terminals in cellular telephone networks cannot belong to multiple networks simultaneously and thus such a feature is not relevant to the network described by Robinson.

The Action asserts that this deficiency is remedied by Anvekar; it is not. Anvekar also describes a cellular telephone-like network of base stations that are wired together and that communicate with mobile terminals. See col. 3, ll. 23-28. Anvekar describes a way to handle mobiles as they move from cell to cell and mobile-Network-Server communication is handed off from one base station to

another. See col. 3, ll. 53-55, l. 64 et seq. Anvekar notes that a mobile (slave) unit can become a master unit in an ad hoc handoff cell that can be created when the mobile has moved out of a cell and has not been assigned a channel in the cell it has moved into. See col. 4, ll. 27-32.

Nevertheless, Anvekar's mobile never needs to modify the allocation of its capacity between two networks because it only communicates with one base-station/cell at a time. In the cited portions of Anvekar, the mobile communicates in one cell until it moves out of range, and then the mobile communicates in another cell, either a regular cell if there is a regular channel available or an "ad hoc" cell if there isn't. Such channel allocation in Anvekar is simply not modifying capacity allocation.

Thus, neither Robinson nor Anvekar describe modifying the allocation of a terminal's capacity between two or more networks as claimed, and Robinson and Anvekar fail to support a prima facie case of obviousness with respect to claim 1 and its dependent claims 6-8.

Szabo, like Robinson and Anvekar, describes a cellular telephone system (see e.g., col. 4, ll. 4-14), not an ad hoc network of multiple piconets, and thus of course cannot remedy the above-described deficiencies of Robinson and Anvekar. Accordingly, Robinson, Anvekar, and Szabo fail to support a prima facie case of obviousness with respect to claims 2-4, which depend from claim 1.

Scheurich does not relate to even a telecommunication network let alone an ad hoc network of multiple piconets, and thus cannot remedy the above-described deficiencies of Robinson and Anvekar. Moreover, because Scheurich is so far afield from even Robinson and Anvekar, it includes no suggestion or motivation that would have led to its having been combined with Robinson and Anvekar, and there would have been no reasonable expectation that all three patents could have been successfully combined. Accordingly, Robinson, Anvekar, and Scheurich fail to support a prima facie case of obviousness with respect to claims 9 and 10.

For these reasons, it is respectfully requested that the obviousness rejections of claims 1-4 and 6-10 be reconsidered and withdrawn.

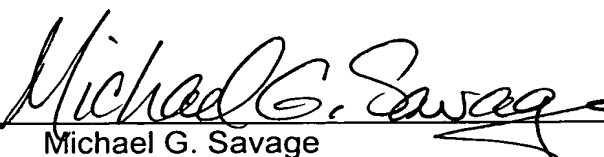
It is believed this application is in condition for allowance and an early Notice of same is earnestly solicited. If any questions remain, the Examiner is invited to phone the undersigned at the below-listed number.

Respectfully submitted,

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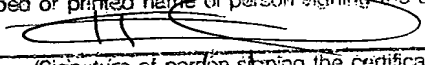
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Date: July 9, 2003

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